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CLERK US DISTRICT COURT		
DISTRICT OF NEVADA		
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7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9 United States of America,

10 Plaintiff,

11 v.

12 TONY ALPHONSO JOHNSON,

13 Defendant.

Case No. 2:22-mj-00883-EJY

COMPLAINT for violation of:

Reckless Driving
 36 C.F.R. § 4.2(b); N.R.S. 484B.653(1);

Speeding
 36 C.F.R. § 4.21(c);

14 BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned
 15 complainant, being first duly sworn, states that:

16 **COUNT ONE**
 17 *Reckless Driving*
 18 (36 C.F.R. § 4.2(b); N.R.S. 484B.653(1))

19 That on or about February 7, 2022, in the State and Federal District of Nevada,
 20 within the boundaries of the Lake Mead National Recreation Area,

21 **TONY ALPHONSO JOHNSON**,
 22 defendant herein, operated a gray 2022 Toyota Corolla bearing Arizona registration
 23 BDA5AG in a willful and wanton disregard of the safety of persons and property, to wit: a
 24 National Park Service Ranger observed **JOHNSON** traveling northbound on U.S. Highway

1 93 and turn east onto Lakeshore Road without activating a turn signal; JOHNSON began
2 traveling at a high rate of speed; the calibrated radar unit in the ranger's patrol vehicle
3 showed the vehicle was traveling at sixty-two miles per hour in a posted fifty mile per hour
4 zone; JOHNSON crossed the fog line as he slowed down and approached the entrance
5 station; JOHNSON sped up after passing the entrance station and crossed the fog line
6 again; during this face-to-face contact, the ranger noticed JOHNSON's eyes were watery
7 and bloodshot and he had a calm and relaxed attitude; JOHNSON initially denied
8 consuming any marijuana but admitted to having a THC pen, which was located in plain
9 view in the center console; JOHNSON stated that he last used the pen about a couple of
10 hours prior when he stopped for gas, around 3:30 PM; JOHNSON admitted that he takes a
11 hit from the pen about six or seven times per day; JOHNSON performed poorly on the
12 Standardized Field Sobriety Tests and the Advanced Roadside Impaired Driving
13 Enforcement Tests; JOHNSON consented to a blood withdrawal; after two attempts, the
14 registered nurse at the Henderson Detention Center was unable to access a vein and conduct
15 a blood draw due to JOHNSON's poor vein conditions; all in violation of Title 36, Code of
16 Federal Regulations, Section 4.2(b), and Nevada Revised Statute 484B.653(1).

COUNT TWO

Speeding

(36 C.F.R. 4.21(c))

That on or about February 7, 2022, in the State and Federal District of Nevada, within the boundaries of the Lake Mead National Recreation Area,

TONY ALPHONSO JOHNSON,

defendant herein, operated a gray 2022 Toyota Corolla bearing Arizona registration BDA5AG at a speed in excess of the speed limit, which is prohibited, to wit: **JOHNSON**

1 was observed traveling northbound on U.S. Highway 93 and turn east on Lakeshore Road;
2 JOHNSON began traveling at a high rate of speed; the calibrated radar unit in the ranger's
3 patrol vehicle showed the vehicle was traveling at 62 miles per hour in a posted 50 mile per
4 hour zone; all in violation of Title 36, Code of Federal Regulations, Section 4.21(c).

5 Complainant, Christopher J. Raynolds, states the following as and for probable cause:

6 1. Complainant is a Park Ranger with the National Park Service, Lake Mead
7 National Recreation Area, Clark County, Nevada, and has been employed as a law
8 enforcement officer for over 20 years.

9 2. The following information is the result of either complainant's own personal
10 investigation or has been provided to me by other law enforcement officers:

11 (a) On February 7, 2022, National Park Service Ranger Chevy Johnson
12 was on routine patrol within the boundaries of the Lake Mead National Recreation Area,
13 Clark County, Nevada.

14 (b) At about 6:23 PM, while traveling northbound on U.S. Highway 93,
15 Ranger Johnson observed a gray 2022 Toyota Corolla bearing Arizona registration
16 BDA5AG traveling northbound on U.S. Highway 93 and then turn east onto Lakeshore
17 Road without activating a turn signal. The vehicle began traveling at a high rate of speed.
18 The calibrated radar unit in the ranger's patrol vehicle showed the vehicle was traveling at
19 sixty-two miles per hour in a posted fifty mile per hour zone. The vehicle crossed the fog
20 line as it slowed down and approached the entrance station. The vehicle sped up after
21 passing the entrance station and crossed the fog line again.

22 (c) Ranger Johnson initiated a traffic stop using his emergency lights and
23 sirens and made contact with the operator who was identified as **TONY ALPHONSO**
24 **JOHNSON** from his Florida driver's license.

1 (d) During this face-to-face contact with **JOHNSON**, Ranger Johnson
2 noticed **JOHNSON**'s eyes were watery and bloodshot. **JOHNSON** initially denied
3 consuming any marijuana but admitted to having a THC pen, which was located in plain
4 view in the center console. **JOHNSON** stated that he last used the pen about a couple of
5 hours prior when he stopped for gas, around 3:30 PM. **JOHNSON** admitted that he takes a
6 hit from the pen about six or seven times per day. **JOHNSON** had a calm and relaxed
7 attitude.

8 (e) The following are the results of Field Sobriety Tests administered to
9 **JOHNSON** by National Park Service Ranger Johnson:

10 1. Horizontal Gaze Nystagmus test: **JOHNSON**'s eyes displayed
11 no clues.

12 2. Walk and Turn test: **JOHNSON** stopped while walking,
13 stepped off the line and missed heel-to-toe.

14 3. One Leg Stand Test: **JOHNSON** swayed while balancing.

15 4. Preliminary breath test (PBT): This test was not conducted.

16 (f) Ranger Johnson conducted the Advanced Roadside Impaired Driving
17 Enforcement (ARIDE) Tests. The following are the results of the ARIDE Tests
18 administered to **JOHNSON**:

19 1. Lack of Convergence Test: **JOHNSON**'s eyes displayed a lack
20 of convergence.

21 2. Modified Romberg Balance Test: **JOHNSON** estimated 30
22 seconds in 53 seconds. **JOHNSON** swayed two inches side-to-side and one inch front-to-

1 back. **JOHNSON** eyelids and body displayed tremors which can be indicative of marijuana
2 use.

3 3. Finger to Nose Test: JOHNSON missed the tip of his nose two
4 times and double-touched his nose one time.

5 (g) Based on Ranger Weltzer's training and experience, **JOHNSON**'s
6 physical and objective symptoms of intoxication, and performance on the Standardized
7 Field Sobriety Tests and Advanced Roadside Impaired Driving Enforcement (ARIDE)
8 Tests, Ranger Johnson formed the opinion that **JOHNSON** had been operating a motor
9 vehicle while under the influence of a drug and placed **JOHNSON** under arrest.


CHRIS RAYNOLEDS, Park Ranger
National Park Service

SUBSCRIBED and SWORN to before me
this 10th day of November, 2022.

Egyptian French

**HONORABLE
UNITED STATES MAGISTRATE JUDGE**